

14762. Adulteration of flour. U. S. v. 21 Bags * * *. (F. D. C. No. 26546. Sample Nos. 5788-K, 5789-K.)

LIBEL FILED: February 21, 1949, District of Vermont.

ALLEGED SHIPMENT: On or about November 23, 1948, from Buffalo, N. Y.

PRODUCT: 21 100-pound bags of flour at Montpelier, Vt., in possession of Cross Baking Co., Inc.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent urine; and, Section 402 (a) (4), it had been held under insanitary conditions whereby it may have become contaminated with filth. The product was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: May 20, 1949. Default decree of forfeiture and destruction.

14763. Adulteration and misbranding of enriched flour. U. S. v. Dearborn Mills. Plea of guilty. Fine, \$100. (F. D. C. No. 25616. Sample Nos. 44005-K, 44088-K, 44089-K.)

INFORMATION FILED: March 16, 1949, Southern District of Indiana, against the Dearborn Mills, a corporation, Aurora, Ind.

ALLEGED SHIPMENT: Between the approximate dates of May 4 and July 20, 1948, from the State of Indiana into the State of Kentucky.

LABEL, IN PART: "Can't Be Beat Vitamin and Iron Enriched * * * Bleached Phosphated Flour."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, thiamine (vitamin B₁), had been in part omitted from the article.

Misbranding, Section 403 (g) (1), the article failed to conform to the definition and standard of identity for enriched flour since it contained per pound less than 2.0 milligrams of thiamine (vitamin B₁).

Further misbranding, Section 403 (a), the label statements "Vitamin * * * Enriched 8 oz. contains not less than the following proportions of the minimum daily requirement of vitamin B₁ 100%" were false and misleading. The statements represented and suggested that the article contained per pound not less than 2.0 milligrams of thiamine (vitamin B₁), as required by the standard of identity for enriched flour, and that 8 ounces of the article contained not less than 100 percent of the minimum daily requirements of the body for thiamine (vitamin B₁). The article contained less thiamine (vitamin B₁) than represented.

DISPOSITION: April 6, 1949. A plea of guilty having been entered, the court imposed a fine of \$100.

CHOCOLATE AND CONFECTIONERY

14764. Adulteration of chocolate. U. S. v. 34 Bales, etc. (F. D. C. Nos. 25889, 25890. Sample Nos. 45438-K, 45439-K.)

LIBEL FILED: October 29, 1948, Western District of Wisconsin.

ALLEGED SHIPMENT: On or about July 31, 1947, and April 13, 1948, from Elsdon, Ill., and Philadelphia, Pa.

PRODUCT: Chocolate. 34 200-pound bales at Beloit, Wis., and 3,694 pounds in unlabeled bags or second-hand boxes at Beloit, Wis.

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the article consisted in whole or in part of a filthy substance by reason of the presence of insects. The article was adulterated while held for sale after shipment in interstate commerce.